

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CR 4:20-CR-40026

Plaintiff,

REDACTED INDICTMENT

v.

WIRE FRAUD and MAIL FRAUD

CHRISTOPHER DAY,

18 U.S.C. §§ 1343 and 1341

Defendant.

The Grand Jury charges:

Counts 1 – 12
Wire Fraud

1. From on or about between 2015 and 2019, in the District of South Dakota, and elsewhere, the Defendant, Christopher Day, did knowingly and unlawfully devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, as set forth below.

2. Throughout the relevant time period, Defendant Christopher Day (hereinafter, "Defendant") was an employee of Pedersen Machine, Inc. (hereinafter, "Pedersen Machine"), a company located in Beresford, South Dakota.

3. Pedersen Machine sells John Deere equipment and also provides service, sales, and parts.

4. As part of the scheme and artifice to defraud, the Defendant, as an employee of Pedersen Machine, ordered parts over the internet from John Deere in Milan, Illinois, and made it appear that the parts were ordered on behalf of Pedersen Machine's customers.

5. As part of the scheme and artifice to defraud, when the parts arrived, Defendant took the parts home. To conceal some of the transactions, the Defendant had invoices mailed to a customer identified as "Independent Repair" in Alcester, South Dakota, which was a mailing address for the Defendant. To conceal other transactions, the Defendant canceled the orders on Pedersen Machine's computer system so the customers did not receive an invoice.

6. As part of the scheme and artifice to defraud, the Defendant sold the parts online and falsely represented that he was the owner of the property. The Defendant accepted payment for the property he sold and kept the funds for his personal use and deprived Pederson Machine of its funds and property.

7. Beginning on or about October 28, 2015, and continuing through July 22, 2019, all dates approximate and inclusive, in the District of South Dakota and elsewhere, Defendant, having devised the above-described scheme and artifice to defraud, did knowingly use and cause communications to be transmitted in interstate commerce, by means of electronic wire communications, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice to defraud.

8. On or about the dates listed below, Defendant caused, among others, the following wire communications to be sent, with each such transmission constituting a separate count:

Count	Date	Wire transmission	Value of items
1	10/28/2015	Purchase Order 302	\$434.69
2	04/01/2016	Purchase Order 660	\$2,284.59
3	07/17/2016	Purchase Order 918	\$1,471.93
4	01/13/2017	Purchase Order 1412	\$3051.31
5	08/11/2017	Purchase Order 11969	\$1891.82
6	11/17/2017	Purchase Order 12256	\$1,409.29
7	01/18/2018	Purchase Order 12397	\$1618.94
8	02/07/2018	Purchase Order 12457	\$4,156.71
9	06/23/2018	Purchase Order 12833	\$1,644.57
10	02/20/2019	Purchase Order 13508	\$2,427.44
11	04/05/2019	Purchase Order 13625	\$2,867.68
12	06/20/2019	Purchase Order 13855	\$1,372.16

all in violation of 18 U.S.C. § 1343.

Counts 13 – 20
Mail Fraud

9. All of the allegations set forth in Counts 1 through 12 are realleged and incorporated herein.

10. On or about the dates listed below, in the District of South Dakota and elsewhere, Defendant, Christopher Day, for the purpose of executing and attempting to execute the above-described scheme and artifice to defraud, did knowingly cause to be sent and deliver by the United States Postal Service according to the directions thereon, the matters and things specifically set forth as follows:

Count	Date	Item Mailed	Value of Items
13	01/02/2018	Invoice 01-71943	\$2,448.00
14	07/31/2018	Invoice 01-84621	\$338.68
15	07/31/2018	Invoice 01-84723	\$635.00
16	09/29/2018	Invoice 01-88810	\$3,035.99
17	09/29/2018	Invoice 01-88811	\$2,091.40
18	01/28/2019	Invoice 01-95620	\$858.79
19	02/01/2019	Invoice 01-95623	\$1,490.55
20	02/01/2019	Invoice 01-95624	\$2,137.91

all in violation of 18 U.S.C. § 1341.

A TRUE BILL:

REDACTED

Foreperson

RONALD A. PARSONS, JR.
United States Attorney

By

